

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

**U.S.A. vs. James Bowers**

**Docket No. 4:16-CR-59-1D**

**Petition for Action on Supervised Release**

COMES NOW Michael W. Dilda, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of James Bowers, who, upon an earlier plea of guilty to Accessory After the Fact, in violation of 18 U.S.C. § 3, and Conspiracy to Distribute Cocaine Base, in violation of 21 U.S.C. §§ 846 and 841(b)(1)(C), was sentenced by the Honorable Allyne R. Ross, U.S. District Judge in the Eastern District of New York (ED/NY), on March 10, 2016, to the custody of the Bureau of Prisons for a term of Time Served (29 months). It was further ordered that upon release the defendant be placed on supervised release for a period of 3 years.

James Bowers was released from custody on March 10, 2016, at which time the term of supervised release commenced in the Eastern District of North Carolina (ED/NC). On October 12, 2016, a Report on Offender Under Supervision was filed with the ED/NY advising the defendant had tested positive for marijuana on July 7, 2016, and requesting that the defendant not be held responsible for the costs of location monitoring services. On November 3, 2016, the court modified the conditions of supervision to include that the defendant not be held responsible for the cost of the location monitoring services, or the outstanding balances. On November 9, 2016, jurisdiction was transferred to the ED/NC.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

On November 8, 2016, the defendant provided a urine sample that was submitted for laboratory analysis. At the time of the test, Bowers admitted he used marijuana and "Molly" (Ecstasy) on approximately November 28, 2016. On November 14, 2016, local laboratory analysis confirmed positive results for marijuana and cocaine; however, national laboratory analysis confirmed positive results for cocaine and noted the specimen quantity was not sufficient for confirmation of marijuana. The defendant has agreed to remain in substance abuse treatment. Additionally, as sanctions for this violation conduct, confinement of 2 days in the custody of the Bureau of Prisons and participation in the DROPS Program (second use level) is recommended. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days; The defendant shall begin the DROPS Program in the second use level.
2. The defendant shall be confined in the custody of the Bureau of Prisons for a period of 2 days, as arranged by the probation office and shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

**James Bowers**  
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**Petition For Action**  
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Reviewed and approved,

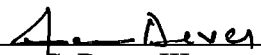
I declare under penalty of perjury that the foregoing  
is true and correct.

/s/ Dwayne K. Benfield  
Dwayne K. Benfield  
Supervising U.S. Probation Officer

/s/ Michael W. Dilda  
Michael W. Dilda  
U.S. Probation Officer  
201 South Evans Street, Rm 214  
Greenville, NC 27858-1137  
Phone: 252-830-2342  
Executed On: April 7, 2017

**ORDER OF THE COURT**

Considered and ordered this 10 day of April, 2017, and ordered filed and  
made a part of the records in the above case.

  
James C. Dever III  
Chief U.S. District Judge